## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA MACON DIVISION

| DON LEE EMORY, SR.,           |                                      |
|-------------------------------|--------------------------------------|
| Plaintiff,                    |                                      |
| v.                            | ) CIVIL ACTION NO. 5:15-CV-105 (MTT) |
| Warden CEDRIC TAYLOR, et al., |                                      |
| Defendants.                   | )                                    |
|                               | )                                    |

## <u>ORDER</u>

Before the Court is the Order and Recommendation of United States Magistrate
Judge Charles H. Weigle. (Doc. 5). After screening the Plaintiff's complaint pursuant to
28 U.S.C. § 1915A, the Magistrate Judge allowed the Eighth Amendment claims against
Defendant Akunwanne to go forward but recommends dismissing the Eighth
Amendment claims against Defendants Taylor and Speight. The Plaintiff has not
objected to the Recommendation. The Court has reviewed the Recommendation, and
the Court accepts and adopts the findings, conclusions, and recommendations of the
Magistrate Judge. The Recommendation is **ADOPTED** and made the order of this
Court. Accordingly, the Eighth Amendment claims against Defendants Taylor and
Speight are **DISMISSED** without prejudice.

**SO ORDERED,** this 2nd day of September, 2015.

<u>S/ Marc T. Treadwell</u> MARC T. TREADWELL, JUDGE UNITED STATES DISTRICT COURT